

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

RACHEL KARLEESE CRAWFORD,

Plaintiff,

v.

CIVIL ACTION NO. 5:20-cv-00372

ANDREW SAUL, COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

Pending are Rachel Karleese Crawford's Motion for Judgment on the Pleadings and Memorandum in Support thereof [Docs. 17, 18], filed March 8, 2021, and Commissioner Andrew Saul's Brief in Support of Defendant's Decision [Doc. 20], filed April 6, 2021. This action was previously referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission of proposed findings and a recommendation ("PF&R"). Magistrate Judge Aboulhosn filed his PF&R on April 21, 2021. Magistrate Judge Aboulhosn recommended that the Court deny Ms. Crawford's request for remand, grant Commissioner Saul's request to affirm the decision below, affirm the final decision of the Commissioner, and dismiss this matter from the Court's docket.

The Court need not review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140 (1985); *see also* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*"") (emphasis

added). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal the Court's order. *See* 28 U.S.C. § 636(b)(1); *see also United States v. De Leon-Ramirez*, 925 F.3d 177, 181 (4th Cir. 2019) (parties may not typically "appeal a magistrate judge's findings that were not objected to below, as § 636(b) doesn't require de novo review absent objection."); *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989). Further, the Court need not conduct de novo review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections in this case were due on May 10, 2021. No objections were filed.

Accordingly, the Court **ADOPTS** the PF&R [**Doc. 21**]; **DENIES** Ms. Crawford's request for remand [**Doc. 17**]; **GRANTS** Commissioner Saul's request to affirm the decision below [**Doc. 20**]; **AFFIRMS** the final decision of the Commissioner; and **DISMISSES** the matter.

The Court directs the Clerk to transmit a copy of this Order to any counsel of record and any unrepresented party.

ENTERED: June 1, 2021

